

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SIXTY-SEVENTH LEGISLATIVE DAY  
THURSDAY, MARCH 18, 2010

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Bilyeu, Brackett, Broadsword, Cameron, Coiner, Hammond, LeFavour, Mortimer, Siddoway, and Stegner, and Acting Senator Kerby, absent and excused.

Prayer was offered by Senator Stephen Bair.

The Pledge of Allegiance was led by Kelsey Kinkle, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senators Coiner, Siddoway, and LeFavour, and Acting Senator Kerby were recorded present at this order of business.

March 17, 2010

The JUDICIARY AND RULES Committee reports that [S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) have been correctly printed.

DARRINGTON, Chairman

[S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) were referred to the Finance Committee.

March 17, 2010

The JUDICIARY AND RULES Committee reports that Enrolled [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1296](#), [S 1316](#), [S 1332](#), [S 1338](#), and [S 1388](#) were delivered to the Office of the Governor at 3 p.m., March 17, 2010.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2010

The STATE AFFAIRS Committee reports out [H 496](#), [H 555](#), [H 603](#), and [S 1408](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 496](#), [H 555](#), [H 603](#), and [S 1408](#) were filed for second reading.

March 17, 2010

The STATE AFFAIRS Committee reports out [S 1401](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [S 1401](#) was referred to the Fourteenth Order of Business, General Calendar.

March 17, 2010

The JUDICIARY AND RULES Committee reports out [H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, and [H 613](#) with the recommendation that they do pass.

DARRINGTON, Chairman

[H 543](#), [H 550](#), [H 554](#), [H 593](#), as amended, and [H 613](#) were filed for second reading.

March 17, 2010

The RESOURCES AND ENVIRONMENT Committee reports out [H 531](#), as amended, with the recommendation that it do pass.

SCHROEDER, Chairman

[H 531](#), as amended, was filed for second reading.

Senators Brackett, Hammond, and Mortimer were recorded present at this order of business.

March 17, 2010

The FINANCE Committee reports out [S 1412](#) and [S 1413](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1412](#) and [S 1413](#) were filed for second reading.

March 17, 2010

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 607](#), [H 630](#), and [S 1403](#) with the recommendation that they do pass.

HILL, Chairman

[H 607](#), [H 630](#), and [S 1403](#) were filed for second reading.

March 17, 2010

The HEALTH AND WELFARE Committee reports out [H 534](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [H 534](#) was referred to the Fourteenth Order of Business, General Calendar.

March 18, 2010

The EDUCATION Committee reports out [H 601](#) with the recommendation that it do pass.

GOEDDE, Chairman

[H 601](#) was filed for second reading.

Senators Broadsword and Bilyeu were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

#### Messages from the Governor

March 18, 2010

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Roderic W. Lewis of Eagle, Idaho, was appointed as a member of the State Board of Education to serve a term commencing March 18, 2010, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. "Butch" Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

March 17, 2010

Dear Mr. President:

I transmit herewith [H 656](#) and [H 609](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 656](#) and [H 609](#) were filed for first reading.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 17, 2010

Dear Mr. President:

I return herewith [S 1353](#), [S 1313](#), [S 1314](#), [S 1355](#), and [S 1321](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1353](#), [S 1313](#), [S 1314](#), [S 1355](#), and [S 1321](#) were referred to the Judiciary and Rules Committee for enrolling.

March 17, 2010

Dear Mr. President:

I return herewith Enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Lydia Justice-Edwards was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heinrich, seconded by Acting Senator Stennett, the Gubernatorial appointment of Lydia Justice-Edwards as a member of the Idaho Lottery Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1419

#### BY FINANCE COMMITTEE

##### AN ACT

REDUCING THE APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR GENERAL EDUCATION PROGRAMS AT BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, LEWIS-CLARK STATE COLLEGE, THE UNIVERSITY OF IDAHO AND FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS FOR GENERAL EDUCATION PROGRAMS AT BOISE STATE UNIVERSITY, IDAHO STATE UNIVERSITY, LEWIS-CLARK STATE COLLEGE, THE UNIVERSITY OF IDAHO AND FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2011; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; ESTABLISHING AMOUNTS TO BE EXPENDED FOR SYSTEMWIDE PROGRAMS; PROVIDING LEGISLATIVE INTENT FOR AMERICAN RECOVERY AND REINVESTMENT ACT MONEYS; AND DECLARING AN EMERGENCY.

##### S 1420

#### BY FINANCE COMMITTEE

##### AN ACT

REPEALING SECTION 5, CHAPTER 248, LAWS OF 2009; REDUCING THE APPROPRIATION TO PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2010; APPROPRIATING MONEYS FOR PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2011; REAPPROPRIATING CERTAIN

UNEXPENDED AND UNENCUMBERED BALANCES; EXPRESSING LEGISLATIVE INTENT; AND DECLARING AN EMERGENCY.

**S 1421**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE FOR LEGAL SUFFICIENCY REVIEWS RELATING TO PETITIONS TO ESTABLISH NEW PUBLIC CHARTER SCHOOLS INCLUDING PUBLIC VIRTUAL SCHOOLS, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL NOTIFY THE BOARD OF THE DISTRICT WHERE THE PUBLIC CHARTER SCHOOL WILL BE LOCATED THAT A PETITION HAS BEEN SUBMITTED AND SHALL MAKE CERTAIN TRAINING AVAILABLE, TO CLARIFY THAT PETITION SUBMISSIONS SHALL OCCUR FOLLOWING LEGAL SUFFICIENCY REVIEWS AND TO MAKE A TECHNICAL CORRECTION.

**S 1422**  
**BY STATE AFFAIRS COMMITTEE**  
**AN ACT**

RELATING TO EDUCATION; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT IN CERTAIN FISCAL YEARS THE BOARD OF TRUSTEES OF ANY SCHOOL DISTRICT WITH A PREVIOUSLY APPROVED PLANT FACILITIES LEVY MAY SUBMIT TO THE QUALIFIED ELECTORS OF THE SCHOOL DISTRICT THE QUESTION OF CONVERTING A PREVIOUSLY APPROVED PLANT FACILITIES LEVY TO A SUPPLEMENTAL LEVY SUBJECT TO CERTAIN CONDITIONS AND REQUIREMENTS, TO PROVIDE FOR A QUESTION TO BE SUBMITTED AND TO PROVIDE PROVISIONS RELATING TO ELECTIONS; AMENDING SECTION 33-804, IDAHO CODE, AS AMENDED BY SECTION 47, CHAPTER 341, LAWS OF 2009, TO PROVIDE THAT IN CERTAIN FISCAL YEARS THE BOARD OF TRUSTEES OF ANY SCHOOL DISTRICT WITH A PREVIOUSLY APPROVED PLANT FACILITIES LEVY MAY SUBMIT TO THE QUALIFIED ELECTORS OF THE SCHOOL DISTRICT THE QUESTION OF CONVERTING A PREVIOUSLY APPROVED PLANT FACILITIES LEVY TO A SUPPLEMENTAL LEVY SUBJECT TO CERTAIN CONDITIONS AND REQUIREMENTS, TO PROVIDE FOR A QUESTION TO BE SUBMITTED AND TO PROVIDE PROVISIONS RELATING TO ELECTIONS; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE THAT FOR A CERTAIN PERIOD A DISTRICT MAY SHIFT UP TO FIVE PERCENT OF CERTAIN POSITIONS TO FEDERAL FUNDS; PROVIDING THAT FOR A CERTAIN PERIOD CERTAIN MONEYS MAY BE SPENT AT THE DISCRETION OF THE SCHOOL DISTRICT AND TO PROVIDE THAT SUCH AMOUNT SHALL BE DETERMINED BY THE STATE DEPARTMENT OF EDUCATION PURSUANT TO A CERTAIN FORMULA; PROVIDING THAT SCHOOL DISTRICTS MAY TRANSFER MONEYS FROM A PLANT FACILITIES RESERVE FUND TO THE GENERAL FUND DURING A CERTAIN PERIOD AND SUBJECT TO CERTAIN CONDITIONS; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

S 1419, S 1420, S 1421, and S 1422 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 656, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 609, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

S 1409 and S 1410, by Finance Committee, were read the second time at length and filed for third reading.

H 459, by Business Committee, was read the second time at length and filed for third reading.

H 602, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

H 604, as amended,, by State Affairs Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 428, H 429, H 460, and H 461, by Business Committee, were read the second time at length and filed for third reading, Consent Calendar.

H 537, as amended,, by Health and Welfare Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 398, H 438, H 542, and H 574, by Transportation and Defense Committee, were read the second time at length and filed for third reading.

H 425, by Business Committee, was read the second time at length and filed for third reading.

H 596, as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 608, as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

H 545, as amended in the Senate, and H 493, as amended in the Senate, by Education Committee, were read the second time at length and filed for third reading.

S 1344, as amended, and S 1346, as amended, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

S 1400 was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee,

McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Cameron. Total - 1.

Total - 35.

Whereupon the President declared [S 1400](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 467](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 467](#) passed, title was approved, and the bill ordered returned to the House.

[H 477](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 477](#) passed, title was approved, and the bill ordered returned to the House.

[H 526](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 526](#) passed, title was approved, and the bill ordered returned to the House.

[H 527](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,

Kerby (Keough), Lodge, McGee, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Winder. Total - 30.

NAYS–Kelly, LeFavour, Malepeai, McKague, Werk. Total - 5.

Total - 35.

Whereupon the President declared [H 527](#) passed, title was approved, and the bill ordered returned to the House.

[H 625](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 625](#) passed, title was approved, and the bill ordered returned to the House.

[H 626](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 626](#) passed, title was approved, and the bill ordered returned to the House.

[H 490](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk. Total - 33.

NAYS–LeFavour. Total - 1.

Absent and excused–Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 490](#) passed, title was approved, and the bill ordered returned to the House.

[H 557](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"



Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 557](#) passed, title was approved, and the bill ordered returned to the House.

[H 559](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 559](#) passed, title was approved, and the bill ordered returned to the House.

[H 599](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 599](#) passed, title was approved, and the bill ordered returned to the House.

[H 498](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bock arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Coiner, Corder, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk. Total - 32.

NAYS—Cameron, Darrington. Total - 2.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 498](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

## General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

## Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out [S 1389](#), [S 1397](#), [H 576](#), [S 1411](#), and [H 509](#), without recommendation, amended as follows:

### SENATE AMENDMENT TO S 1389

#### AMENDMENT TO SECTION 4

On page 6 of the printed bill, in line 16, delete "equipped with a roll cage or crush-proof body design".

#### AMENDMENT TO SECTION 6

On page 10, in line 37, delete "thirty twenty" and insert: "thirty"; in line 38, delete "(25)" and insert: "(35)"; also in line 38, following "hour." insert: "Provided however, that a person may not operate a low-speed vehicle on a highway with a posted speed limit greater than twenty-five (25) miles per hour without displaying on the rear of the low-speed vehicle, a slow-moving vehicle identification emblem that complies with the society of automotive engineers standard SAE J943."; and also on page 10, delete line 41, and insert: "forty-five (45) miles per hour."; and following line 41, insert:

"(3) Nothing in this section shall be construed to prohibit local units of government from passing ordinances or resolutions which are more stringent than the provisions of this section."

### SENATE AMENDMENT TO S 1397

#### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 11, delete "an individual" and insert: "a patient"; and in line 13, following "department." insert: "Before submitting a report, a physician should notify the patient or the patient's family of the physician's concerns about the patient's ability to drive."

#### CORRECTION TO TITLE

On page 1, in line 3, delete "AN"; in line 4, delete "INDIVIDUAL" and insert: "A PERSON"; and following line 4, insert: ", TO PROVIDE FOR NOTICE".

### SENATE AMENDMENT TO H 576

#### AMENDMENT TO SECTION 3

On page 9 of the printed bill, in line 13, delete "February" and insert: "March"; also in line 13, delete "on"; and in line 14, delete "the cooperation between the commission and the districts".

#### AMENDMENT TO SECTION 6

On page 16, in line 12, following "appointed" insert: "and shall be registered to vote in the state of Idaho".

#### AMENDMENT TO SECTION 7

On page 19, in line 11, following "appointed" insert: "and shall be registered to vote in the state of Idaho".

#### AMENDMENT TO THE BILL

On page 45, delete lines 5 through 13.

#### CORRECTION TO TITLE

On page 1, in line 18, following "COMMISSION," insert: "TO PROVIDE THAT SUPERVISORS SHALL BE REGISTERED TO VOTE IN THE STATE OF IDAHO,"; and

in line 21, following "COMMISSION," insert: "TO PROVIDE THAT SUPERVISORS SHALL BE REGISTERED TO VOTE IN THE STATE OF IDAHO,".

On page 2, in line 24, delete "; AND PROVIDING AN"; and in line 25, delete "EFFECTIVE DATE".

#### SENATE AMENDMENT TO S 1411

##### AMENDMENT TO SECTION 1

On page 15 of the printed bill, delete lines 38 through 41; in line 42, delete "25-4020" and insert: "25-4019"; and in line 46, delete "25-4021" and insert: "25-4020"; and on page 16, in line 4, delete "25-4022" and insert: "25-4021".

##### AMENDMENT TO SECTION 3

On page 29, in line 15, delete "AND EXTRA LARGE POULTRY OPERATIONS"; in line 18, delete "and Extra Large Poultry Operations"; in line 21, delete "and poultry industries are" and insert: "industry is"; in line 26, delete "and extra large poultry"; in line 30, delete "and extra large poultry"; in line 34, delete "Chapters 40 and" and insert: "Chapter"; and also in line 34, delete "vest" and insert: "vests"; in line 36, delete "extra large poultry operations and"; in line 37, delete "and extra large poul-"; in line 38, delete "try operation"; in line 41, delete "and extra large poultry operations"; and in line 45, delete "and extra large poultry operations"; on page 30, delete line 8; in line 9, delete "title"; in line 13, delete "and the defini-"; and delete lines 14 and 15, and insert: "."; in line 34, delete "or poultry"; in line 41, delete "or an extra large"; in line 42, delete "poultry operation"; in line 45, delete "and to extra large poultry"; and in line 46, delete "operations"; on page 31, delete lines 2 and 3, and insert: "chapter 41, title 25, Idaho Code. Further, the"; in line 7, delete "or extra large poultry operations"; in line 9, delete "and extra large"; in line 10, delete "poultry operations"; in line 13, delete "and"; in line 14, delete "extra large poultry operations"; in line 29, delete "and extra"; delete line 30; in line 31, delete "Code."; in line 35, delete "and existing extra large"; in line 36, delete "poultry operations"; in line 43, delete "and existing extra large"; and in line 44, delete "poultry operations"; on page 32, in line 8, delete "and extra large poultry operations"; and in line 13, delete "or extra large poultry operation"; on page 35, in line 40, delete "or poultry"; and in line 49, delete ", for"; on page 36, delete lines 1 and 2, and insert: ";"; on page 38, delete lines 39 through 41, and insert: "section 25-4118, Idaho Code."; on page 39, in line 6, delete "or extra"; in line 7, delete "large poultry operations"; in line 15, delete "section 25-4016, Idaho"; delete lines 16 and 17, and insert: "section 25-4116, Idaho Code."; and in line 22, delete "or an extra large poultry operation"; and on page 40, in line 2, delete "or extra"; and in line 3, delete "large poultry operations".

##### CORRECTION TO TITLE

On page 1, delete line 17; and in line 38, delete "AND EXTRA LARGE POULTRY OPERATIONS".

#### SENATE AMENDMENT TO H 509

##### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 6, delete "and are not".

The Committee also has [S 1348](#), [S 1350](#), and [S 1271](#) under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Werk, the report was adopted by voice vote.

[S 1389](#), as amended, [S 1397](#), as amended, and [S 1411](#), as amended, were referred to the Judiciary and Rules Committee

for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 576](#), as amended in the Senate, and [H 509](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

#### Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Kelly, by voice vote the Senate recessed at 12:05 p.m. until the hour of 4 p.m. of this day.

#### RECESS AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Andreason, absent and formally excused by the Chair; and Senators Bair, Bilyeu, Brackett, Broadsword, Cameron, Corder, Hill, Jorgenson, Lodge, McKague, McKenzie, Mortimer, Stegner, and Werk, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

#### Reports of Standing Committees

Senators Corder, Jorgenson, and Stegner were recorded present at this order of business.

March 18, 2010

The JUDICIARY AND RULES Committee reports that [S 1313](#), [S 1314](#), [S 1321](#), [S 1353](#), and [S 1355](#) have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1313](#), [S 1314](#), [S 1321](#), [S 1353](#), and [S 1355](#) and ordered them transmitted to the House for the signature of the Speaker.

March 18, 2010

The JUDICIARY AND RULES Committee reports that Enrolled [S 1247](#), [S 1252](#), as amended, [S 1299](#), [S 1315](#), [S 1329](#), [S 1367](#), [S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#) were delivered to the Office of the Governor at 2:45 p.m., March 18, 2010.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 18, 2010

The JUDICIARY AND RULES Committee reports that [S 1389](#), as amended, [S 1397](#), as amended, and [S 1411](#), as amended, have been correctly engrossed.

DARRINGTON, Chairman

[S 1389](#), as amended, [S 1397](#), as amended, and [S 1411](#), as amended, were filed for first reading.

March 18, 2010

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1389](#), [S 1397](#), [S 1411](#), [H 576](#), and [H 509](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senators Heinrich and Hill were recorded present at this order of business.

March 18, 2010

The AGRICULTURAL AFFAIRS Committee reports out [H 611](#) with the recommendation that it do pass.

CORDER, Chairman

[H 611](#) was filed for second reading.

Senators Brackett, Cameron, and Mortimer were recorded present at this order of business.

March 18, 2010

The FINANCE Committee reports out [S 1407](#), [S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1407](#), [S 1415](#), [S 1416](#), [S 1417](#), and [S 1418](#) were filed for second reading.

March 18, 2010

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), [H 644](#), and [HCR 61](#) with the recommendation that they do pass.

ANDREASON, Chairman

[H 462](#), [H 504](#), [H 548](#), as amended, [H 581](#), and [H 644](#) were filed for second reading.

[HCR 61](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 18, 2010

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 502](#) with the recommendation that it do pass.

ANDREASON, Chairman

[H 502](#) was filed for second reading.

March 18, 2010

The EDUCATION Committee reports out [H 624](#) with the recommendation that it do pass.

GOEDDE, Chairman

[H 624](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 576](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

Senators Bilyeu, Lodge, and McKague were recorded present at this order of business.

[H 509](#), as amended in the Senate, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

[S 1389](#), as amended, and [S 1397](#), as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

[S 1411](#), as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

[H 529](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Smyser disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 529](#) passed, title was approved, and the bill ordered returned to the House.

[H 558](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 558](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 457](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 457](#) passed, title was approved, and the bill ordered returned to the House.

[H 486](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bilyeu, Brackett, Cameron, Coiner, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, Pearce, Schroeder, Smyser, Stennett (Stennett), Winder. Total - 22.

NAYS—Bock, Corder, Hammond, Hill, Jorgenson, McKenzie, Mortimer, Siddoway, Stegner, Werk. Total - 10.

Absent and excused—Andreason, Bair, Broadsword. Total - 3.

Total - 35.

Whereupon the President declared [H 486](#) passed, title was approved, and the bill ordered returned to the House.

[H 540](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bilyeu, Brackett, Cameron, Coiner, Darrington, Davis, Fulcher, Goedde, Heinrich, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, Schroeder, Smyser, Stennett (Stennett), Winder. Total - 21.

NAYS—Bock, Corder, Geddes, Hammond, Hill, McKenzie, Mortimer, Pearce, Siddoway, Stegner, Werk. Total - 11.

Absent and excused—Andreason, Bair, Broadsword. Total - 3.

Total - 35.

Whereupon the President declared [H 540](#) passed, title was approved, and the bill ordered returned to the House.

[H 564](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 564](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 641](#) retained its place on the Third Reading Calendar.

[H 642](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 642](#) passed, title was approved, and the bill ordered returned to the House.

[H 521](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bilyeu, Bock, Brackett, Cameron, Coiner, Corder, Darrington, Davis, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 30.

NAYS—Fulcher, McKague. Total - 2.

Absent and excused—Andreason, Bair, Broadsword. Total - 3.

Total - 35.

Whereupon the President declared [H 521](#) passed, title was approved, and the bill ordered returned to the House.

[H 522](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough),



LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 522](#) passed, title was approved, and the bill ordered returned to the House.

[H 588](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 588](#) passed, title was approved, and the bill ordered returned to the House.

[H 648](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 33.

NAYS–Davis. Total - 1.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 648](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 641](#) was placed before the Senate for final consideration at this time.

[H 641](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour,

Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 32.

NAYS–Geddes, Schroeder. Total - 2.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 641](#) passed, title was approved, and the bill ordered returned to the House.

[H 649](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 649](#) passed, title was approved, and the bill ordered returned to the House.

[H 508](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 508](#) passed, title was approved, and the bill ordered returned to the House.

[H 598](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Coiner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 598](#) passed, title was approved, and the bill ordered returned to the House.

[H 556](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 556](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 495](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 495](#), as amended, passed, title was approved, and the bill ordered returned to the House.

[H 610](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 34.

NAYS–None.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [H 610](#) passed, title was approved, and the bill ordered returned to the House.

Having voted on the prevailing side by which [H 598](#) passed the Senate, Senator Goedde served notice that he may on this or the next legislative day move for reconsideration of the vote.

[H 598](#) was ordered held at the Secretary's desk.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1409](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1409](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Kerby (Keough), LeFavour, Lodge, Malepeai, McGee, McKague, McKenzie, Mortimer, Pearce, Siddoway, Smyser, Stegner, Stennett (Stennett), Werk, Winder. Total - 33.

NAYS–Schroeder. Total - 1.

Absent and excused–Andreason. Total - 1.

Total - 35.

Whereupon the President declared [S 1409](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 6:10 p.m. until the hour of 10 a.m., Friday, March 19, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary